



**COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING AND BUILDING
STAFF REPORT**

PLANNING DEPARTMENT HEARING

*Promoting the wise use of land
Helping build great communities*

MEETING DATE August 18, 2006	CONTACT/PHONE Holly Phipps / 781-1162	APPLICANT Gary York and Dorothy York	FILE NO. COAL 05-0282 SUB2005-00132
SUBJECT Hearing to consider a request by Gary and Dorothy York for a Lot Line Adjustment (COAL 05 - 0282) to adjust the lot lines between two parcels of 5 acres and 80 acres. The adjustment will result in an equal exchange of property and will create lots of 5 and 80 acres. The project will not result in the creation of any additional parcels. The proposed project is within the Residential Rural land use category and is located at 11311 Red Hill Road, approximately 25 miles east of Santa Margarita. The site is in the Los Padres planning area.			
RECOMMENDED ACTION Approve Lot Line Adjustment COAL 05-0282 based on the findings listed in Exhibit A and the conditions listed in Exhibit B			
ENVIRONMENTAL DETERMINATION A General Rule Exemption was issued on was issued on June 20, 2006.			
LAND USE CATEGORY Rural Lands	COMBINING DESIGNATION None	ASSESSOR PARCEL NUMBER 071-111-020 and 071-112-016	SUPERVISOR DISTRICT(S) 5
PLANNING AREA STANDARDS: Section 22.100.020 Land Divisions – County shall refer all land divisions to U.S. Forest Service for review			
LAND USE ORDINANCE STANDARDS: Section 22.22.050 Subdivision Design - Rural Lands Category			
EXISTING USES: Single-family residence, cabin, native grass and scattered trees			
SURROUNDING LAND USE CATEGORIES AND USES: North: Rural Lands & Open Space / vacant, scattered dwellings East: Rural Lands/vacant South: Rural Lands/ vacant, scattered dwellings West: Rural Lands/ scattered dwellings			
ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT: COUNTY GOVERNMENT CENTER ♦ SAN LUIS OBISPO ♦ CALIFORNIA 93408 ♦ (805) 781-5600 ♦ FAX: (805) 781-1242			

OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: Public Works, Environmental Health, Road Naming – Jo Manson and Len Mansell, Santa Margarita Fire, Cal Trans, RWQCB, U.S. Forest Service, Community Liaison – James Caruso	
TOPOGRAPHY: Level to moderately sloping	VEGETATION: Grasses and scattered trees
PROPOSED SERVICES: Water supply: on-site well Sewage Disposal: On-site sewage disposal Fire Protection: Santa Margarita Fire	ACCEPTANCE DATE: March 3, 2006

ORDINANCE COMPLIANCE:

The applicant is proposing to adjust the lot lines between two legal parcels as follows:

EXISTING LOT SIZES (ACRES)	ADJUSTED PARCEL SIZES (ACRES)
5	5
80	80

Section 21.02.030 of the Real Property Division Ordinance states that a lot line adjustment shall not be approved or conditionally approved unless the new parcels resulting from the adjustment will maintain a position which is better than, or equal to, the existing situation relative to the county's zoning and building ordinances.

The adjustment will result in the reconfiguration of the two parcels to more nearly equalize the access and use.

According to Section 22.22.050 of the Land Use Ordinance, the minimum parcel size for the Rural Lands use category is 160 acres. The minimum parcel size in the Rural Lands category based upon features including: remoteness, fire hazard and response time, access and slope results in a minimum parcel size of 160 acres. Staff has determined that the adjustment will maintain a position which is better than or equal to the existing situation as neither parcel currently conforms to the minimum parcel size.

Planning Area Standards:

Section 22.100.020 Land Divisions – County shall refer all land divisions to U.S. Forest Service for review. Staff sent out a project referral to the U.S. Forest Service on November 26, 2005. No response was provided by the U.S. Forest Service.

SB 497

As of January 1, 2002, lot line adjustments are limited to four or fewer existing adjoining parcels. In addition, the new parcels must comply not only with zoning and building regulations, but also with the general plan and any applicable coastal plan. The County's local ordinance allows a determination to be made that the proposed situation is equal to or better than the existing situation. Because the parcel sizes are below minimum parcel size as set through the General Plan and will remain so after the adjustment, staff has concluded that the adjustment is consistent with both state and local law.

LEGAL LOT STATUS:

Lot 071-111-020 was created by recorded map CO 01-284 and 071-112-016 was created by legal deed 1129 OR 157.

FINDINGS - EXHIBIT A

- A. The proposed Lot Line Adjustment is consistent with the provisions of Section 21.02.030 of the Real Property Division Ordinance because the adjustment will result in the reconfiguration of the two parcels that will result in an equal exchange of property to solve encroachment problem.
- B. The proposal will have no adverse effect on adjoining properties, roadways, public improvements, or utilities.
- C. Compliance with the attached conditions will bring the proposed adjustment into conformance with the Subdivision Map Act and Section 21.02.030 of the Real Property Division Ordinance.
- D. The project qualifies for a General Rule Exemption (ED05-489) pursuant to CEQA Section 15061(b)(3) because the proposed project consists of a minor lot line adjustment on slope averages greater than 20 percent which will not result in any changes in land use or density; the proposed project will not result in the creation of any new parcels. Therefore, it can be seen with certainty that there is no possibility that this project may have a significant effect on the environment; therefore the project is not subject to CEQA.

CONDITIONS - EXHIBIT B

1. This adjustment may be effectuated by recordation of a parcel map or recordation of certificates of compliance. If a map is filed, it shall show:
 - a. All public utility easements.
 - b. All approved street names.
2. Any private easements described in the title report must be shown on the map, with recording data.
3. When the map is submitted for checking, or when the certificate of compliance is filed for review, provide a preliminary title report to the County Engineer or the Planning Director for review.
4. All conditions of approval herein specified are to be complied with prior to the recordation of the map or certificates of compliance which effectuate the adjustment. Recordation of a map is at the option of the applicant. However, if a map is not filed, recordation of a certificate of compliance is mandatory.
5. The map or certificates of compliance shall be filed with the County Recorder prior to transfer of the adjusted portions of the property or the conveyance of the new parcels.
6. In order to consummate the adjustment of the lot lines to the new configuration when there is multiple ownerships involved, it is required that the parties involved quitclaim their interest in one another new parcels. Any deeds of trust involving the parcels must also be adjusted by recording new trust deeds concurrently with the map or certificates of compliance.
7. If the lot line adjustment is finalized using certificates of compliance, prior to final approval the applicant shall prepay all current and delinquent real property taxes and assessments collected as real property taxes when due prior to final approval.
8. The lot line adjustment will expire two years (24 months) from the date of the approval, unless the map or certificates of compliance effectuating the adjustment is recorded first. Adjustments may be granted a single one year extension of time. The applicant must submit a written request with appropriate fees to the Planning Department prior to the expiration date.
9. All timeframes on completion of lot line adjustments are measured from the date the Review Authority approves the lot line adjustment map, not from any date of possible reconsideration action
10. All parcels shall be provided with legal access from a public road. Easements or offers of dedication with a minimum width of 20 feet shall be recorded for all parcels that currently do not have access. These shall be shown on a map (if a map is used to final the adjustment) or recorded with the certificates of compliance.

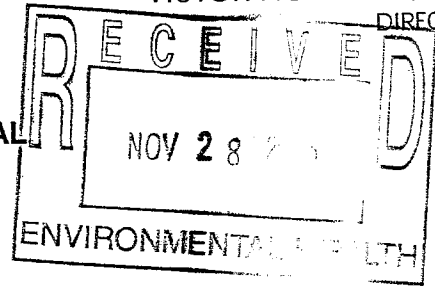
Staff report prepared by Holly Phipps and reviewed by Kami Griffin.



HP
SAN LUIS OBISPO COUNTY
DEPARTMENT OF PLANNING AND BUILDING

VICTOR HOLANDA, AICP
DIRECTOR

THIS IS A NEW PROJECT REFERRAL



DATE: 11/26/05

TO: Env. Health

FROM: ☐ - South County Team ☒ - North County Team ☐ - Coastal Team

COAL 05-0282

PROJECT DESCRIPTION: File Number: SUB2005-00132 Applicant: York

2 way lot line adjustment to solve encroachment.
located off Red Hill Rd., Santa Margarita. 80 acres.

APN: 071-111-020
Return this letter with your comments attached no later than: 12/11/05

PART 1 - IS THE ATTACHED INFORMATION ADEQUATE TO COMPLETE YOUR REVIEW?

- ☐ YES (Please go on to PART II.)
☐ NO (Call me ASAP to discuss what else you need. We have only 30 days in which we must accept the project as complete or request additional information.)

PART II - ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

- ☐ YES (Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter)
☐ NO (Please go on to PART III)

PART III - INDICATE YOUR RECOMMENDATION FOR FINAL ACTION.

Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial.

IF YOU HAVE "NO COMMENT," PLEASE SO INDICATE, OR CALL.

No concerns at this time.

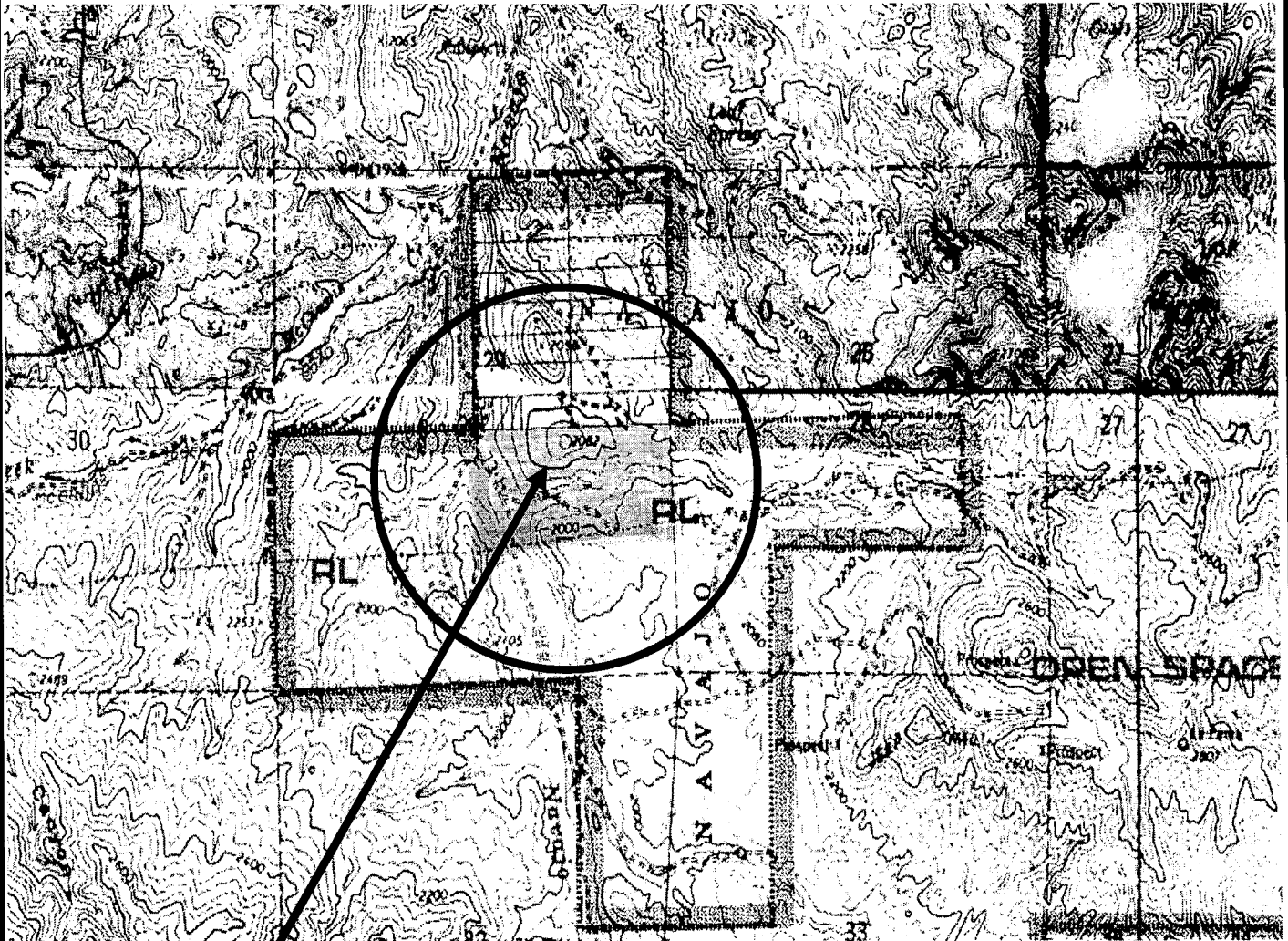
12/6/05
Date

Laurie Sal
Name

781-5551
Phone

EXHIBIT

Vicinity



SITE

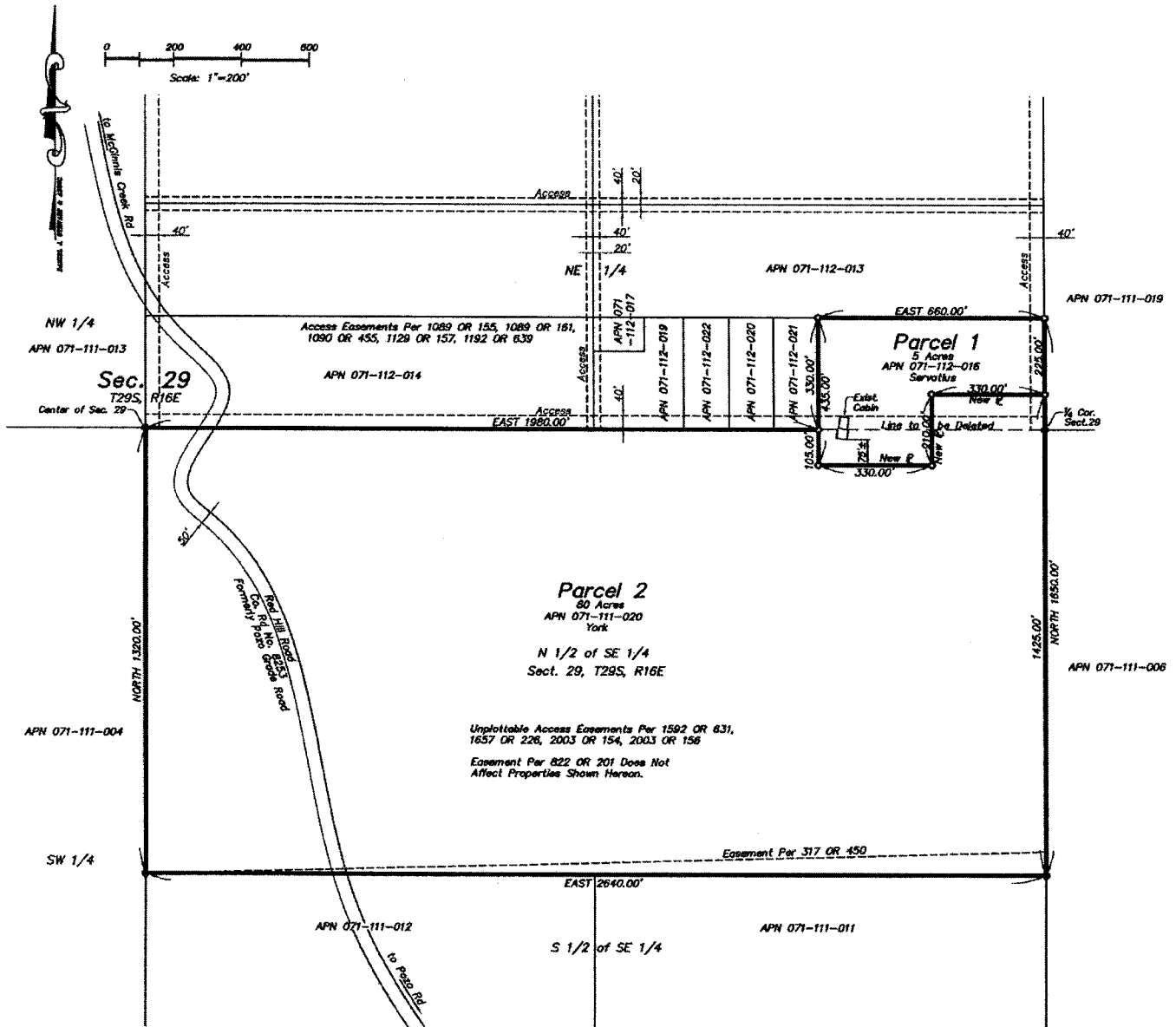
PROJECT

Lot Line Adjustment
York SUB2005-00132



EXHIBIT

Land Use Category



PROJECT

Lot Line Adjustment
York SUB2005-00132



EXHIBIT

Site Plan



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SAN LUIS OBISPO COUNTY
DEPARTMENT OF PLANNING AND BUILDING

VICTOR HOLANDA, AICP
DIRECTOR

THIS IS A NEW PROJECT REFERRAL

DATE: 11/26/05

From TO: PW

To FROM: ☐ - South County Team ☒ - North County Team ☐ - Coastal Team

COAL 05 - 0287

PROJECT DESCRIPTION: File Number: SUB2005-00132 Applicant: YORK

2 way 1st line adjustment to solve encroachment.

located off Red Hill Rd., Santa Margarita. 80 acres.

APN: 071-111-020
Return this letter with your comments attached no later than: 12/11/05

PART 1 - IS THE ATTACHED INFORMATION ADEQUATE TO COMPLETE YOUR REVIEW?

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IF YOU HAVE "NO COMMENT," PLEASE SO INDICATE, OR CALL.

No comment

11/9/06
Date

Jill Ogren
Name

781-5263
Phone

COUNTY GOVERNMENT CENTER • SAN LUIS OBISPO • CALIFORNIA 93408 • (805) 781-5600

EMAIL: planning@co.slo.ca.us

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WEBSITE: <http://www.sloplanning.org>

zoning
is RL



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SAN LUIS OBISPO COUNTY
DEPARTMENT OF PLANNING AND BUILDING

VICTOR HOLANDA, AICP
DIRECTOR

THIS IS A NEW PROJECT REFERRAL

DATE: 11/26/05

TO: JO MANSON

FROM: ☐ - South County Team ☒ - North County Team ☐ - Coastal Team

COAL 05-0282

PROJECT DESCRIPTION: File Number: SUB2005-00132 Applicant: YORK
2 way 1st line adjustment to solve encroachment.
Located off Red Hill Rd., Santa Margarita. 80 acres.
APN: 071-111-020 & 071-112-016
Return this letter with your comments attached no later than: 12/14/05

PART I - IS THE ATTACHED INFORMATION ADEQUATE TO COMPLETE YOUR REVIEW?

- ☐ YES (Please go on to PART II.)
☐ NO (Call me ASAP to discuss what else you need. We have only 30 days in which we must accept the project as complete or request additional information.)

PART II - ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

- ☐ YES (Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter)
☐ NO (Please go on to PART III)

PART III - INDICATE YOUR RECOMMENDATION FOR FINAL ACTION.

Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial.

IF MORE THAN ONE PARCEL USING EASEMENT, IT NEEDS
IF YOU HAVE "NO COMMENT," PLEASE SO INDICATE, OR CALL. **NAME**

071-111-020 → Legal parcel - M01-284 Parcel #1 - copy attached **Ben**
071-112-016 → need pre-1992 deed to verify legality or proof of issued final permit

12/14/05
Date

Jo Manson
Name

24660
Phone

